



**PATENT**

Express Mail No.: ET652099347US

Docket No.: ROB3108.03A

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

17858 U.S. PTO  
10717240



**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of Inventor(s):

**Mike MacArthur**

For (title):

**VARIABLE FLUTE HELICAL-PITCH ROTARY CUTTING TOOL**

**1. Type of Application**

This new application is for a(n):

- ☒ Original
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part (CIP)

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**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date November 18, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET652099347US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

James M. Ritchey

(Type or print name of person mailing paper)

(Signature of person mailing paper)

**2. Benefit of Prior U.S. Application(s) (35 USC 120)**

- ☐ The new application being transmitted claims the benefit of Prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

**3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.53(Design) Application**

- 11 Pages of specification  
4 Pages of claims  
1 Pages of Abstract  
5 Sheets of drawing  
X formal  
☐ informal

**4. Additional papers enclosed**

- ☐ Preliminary Amendment  
☐ Information Disclosure Statement  
X Form PTO - 1449  
☐ Citations  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative  
☐ Special Comments  
☐ Other

**5. Declaration or Oath**

☒ Enclosed

executed by:

☒ inventor(s)

☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. (See item 13 below for fee.)

**6. Inventorship Statement**

The inventorship for all the claims in this application are:

☒ The same

or

☐ Are not the same. An explanation, including the ownership of the various claims at the time the **last** claimed invention was made,

☐ is submitted.

☐ will be submitted.

**7. Language**

☒ English

☐ non-English

☐ the attached translation is a verified translation. 37 CFR 1.52(d).

**8. Assignment**

☒ An assignment of the invention to: Robbjack Corporation, 3300 Nicolaus Rd., Lincoln, CA 95648

☒ is attached.

☐ will follow.

**9. Certified Copies**

Certified copy(ies) of application(s)

(country)	(appln.no)	(filed)
(country)	(appln.no)	(filed)
(country)	(appln.no)	(filed)

from which priority is claimed

- is(are) attached. A separate "ASSIGNMENT COVER LETTER  
ACCOMPANYING NEW PATENT APPLICATION" is also attached.  
— will follow.

**10. Fee Calculation (37 CFR 1.16)**

**A. X Regular Application**

**CLAIMS AS FILED**

	Number filed	Number Extra	Rate	Basic Fee \$ 770.00
Total Claims 37 CFR 1.16(c)	14	- 20 = 0	X	\$18.00 = _____
Independent Claims (37 CFR 1.16(b))	3	- 3 = 0	X	\$86.00 = _____
Multiple dependent claim(s), if any (37 CFR 1.16(d))				\$290.00 = _____

- Amendment canceling extra claims enclosed.  
— Amendment deleting multiple-dependencies enclosed.  
— Fee for extra claims is not being paid at this time.

**Filing Fee Calculation**      \$ 770.00

**B.    Design application**  
(\$340.00 - 37 CFR 1.16(f))

Filing Fee Calculation      \$ \_\_\_\_\_

**C.    Plant application**  
(\$530.00 - 37 CFR 1.16(g))

Filing Fee Calculation \$                   

**11. Small Entity Statement(s)**

  X   Verified Statements(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of **A**, **B** or **C** above) \$   385.00  

**12. Request for International-Type Search (37 CFR 1.104(d))**

   Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

**13. Fee Payment Being Made At This Time**

   Not Enclosed

   No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can/will be paid subsequently.)

  X   Enclosed

  X   basic filing fee \$   385.00  

  X   recording assignment (\$40.00; 37 CFR 1.21(h)) \$   40.00  

   petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 and 1.17(h)) \$                   

   for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$                   

   processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l)) \$                   

   fee for international-type search report. (\$40.00; 37 CFR 1.21(e)) \$                   

Total Fees Enclosed \$   425.00  

**14. Method of Payment of Fees**

  X   Check in the amount of \$   425.00  

   Charge Account No.                    in the amount of \$                   

A duplicate of this transmittal is attached.

**15. Authorization to Charge Additional Fees**

X The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No.

**07-1137:**

- X 37 CFR 1.16(a), (f) or (g) (filing fees)
- 37 CFR 1.16(b), (c) and (d) (presentation of claims)
- 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- 37 CFR 1.18 (application processing fees)
- 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

**16. Instructions As To Overpayment**

— credit Account No.

X refund

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY  
James M. Ritchey, Reg. No. 32,594  
O'BANION & RITCHEY, LLP  
Wells Fargo Center  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
Telephone: (916) 498-1010

X **Incorporation by reference of added pages**

— Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added

X Plus Added Pages For Papers Referred To In Item 4 Above

Number of pages added 1

— Plus "Assignment Cover Letter Accompanying New Application

Number of pages added

X **Statement Where No Further Pages Added**

X This transmittal ends with this page

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\_\_\_\_\_  
James M. Ritchey

**(Type or print name of person mailing paper)**

  
\_\_\_\_\_  
(Signature of person mailing paper)